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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/644,095

08/20/2003

Reiko Nomura

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72875

7590

01/28/2009

SUGHRUE MION, PLLC

2100 Pennsylvania Avenue, N.W.

Washington, DC 20037

EXAMINER

DHINGRA, PAWANDEEP

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

01/28/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com

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<b>Office Action Summary</b>	<b>Application No.</b> 10/644,095	<b>Applicant(s)</b> NOMURA, REIKO	
	<b>Examiner</b> PAWANDEEP S. DHINGRA	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- This action is responsive to the following communication: Amendment after non-final action filed on 11/11/2008.
- Claim 18 is pending.

### ***Response to Arguments***

Applicant's arguments, filed 11/11/2008, with respect to the rejection of claim 18 under Tuchitai have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sakamoto and Shima and applicant's arguments have been rendered moot.

However, examiner acknowledges that Sakamoto and Shima references were cited previously in earlier office actions but have been brought back in view of further consideration and careful re-examination.

New rejection(s) based on the reapplying of the previously cited reference(s), Sakamoto and Shima, with more precise citations and clear explanations follow.

### ***Examiner Notes***

Examiner cites particular paragraphs, columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply

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as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18 is rejected under 35 U.S.C. 103 as being unpatentable over Sakamoto et al., US 7,158,243 in view of Shima, US 2002/0001104.

Re claim 18, Sakamoto discloses a printer (see printer 102, figure 1) which receives print data from a host (see host 101, fig. 1) and prints an image corresponding to said print data (see column 2, line 63 – column 3, line 15), comprising: a printing unit (see print controller 110, fig. 1) which executes a print job after receiving, from the host (see column 2, line 59-column 3, line 15), and print data and having a job end command attached to the end thereof (see column 3, line 16-column 5, line 40); a printing cancellation unit (see printer function manager 109, fig. 1) which, during printing corresponding to received print job, in response to a printing cancellation request operation on an operating panel (see printer operation unit 107, fig. 1) of the printer,

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halts said printing (see column 3, lines 5-22) and transmits a data cancellation request (i.e. notification of job cancellation) with print job ID (i.e. information specifying currently-processed/print-cancelled job is added/included in the notification) to said host (see column 3, lines 15-38; column 4, lines 49-53), so as to cause said host to determine if a current print data (i.e. currently-processed job) corresponds to the print job ID (i.e. information included in the notification of job cancellation) (see column 5, lines 16-20, also see column 3, lines 60-67), and to, when the current data corresponds to the job ID, halt transmission of the print data for said print job, attach said job end command to the current print job data, and transmit said job end command to said printer (see column 5, lines 27-32; column 10, lines 17-22, 34-64) (also see column 3, lines 38-44, column 4, lines 54-67, column 5, lines 33-37); and a discarding processing unit (see print command interpreter 108, fig. 1) which discards received print data inside said printer up to said job end command (see column 3, lines 38-44, column 4, lines 54-67, column 5, lines 33-37).

Sakamoto fails to explicitly disclose print job data including job identification information.

However, Shima discloses the print job data including job identification information (see paragraphs 45-46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing system as disclosed by Sakamoto to include the printer for managing plurality of print job data taught by Shima for the benefit of

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“independently manage the respective ones of a plurality of print job data (jobs) thrown in the printer” as taught by Shima at paragraph 10.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

See Neilsen, US 6,639,687 (figure 13 with text) and Osada, US 6,600,569 (figure 19 with text).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAWANDEEP S. DHINGRA whose telephone number is (571)270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. D./

Examiner, Art Unit 2625

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625